

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**CYNTHIA MILLER**

**Plaintiff,**

**v.**

**Case No. 14-C-0657**

**CAROLYN W. COLVIN,**

**Acting Commissioner of the Social Security Administration  
Defendant.**

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**ORDER**

Plaintiff Cynthia Miller filed this action for judicial review of the denial of her application for social security disability benefits. The court issued a briefing schedule, pursuant to which plaintiff was to have filed a brief in support of her action by September 10, 2014. She failed to do so, and the Commissioner moved to dismiss. On October 10, 2014, I issued an order denying the Commissioner's motion and giving plaintiff until October 31, 2014, to file her brief. However, I warned plaintiff that if she failed to file a brief by that date the action would be dismissed with prejudice pursuant to Civil Local Rule 41(c) (E.D. Wis.) and Fed. R. Civ. P. 41(b). As of today, plaintiff has failed to file a brief.

**THEREFORE, IT IS ORDERED** that this action is **DISMISSED** with prejudice for failure to prosecute. The Clerk shall enter judgment accordingly. Pursuant to Civil Local Rule 41(c), plaintiff may petition for reinstatement of the action with 21 days.

Dated at Milwaukee, Wisconsin this 5<sup>th</sup> day of November, 2014.

/s Lynn Adelman  
LYNN ADELMAN  
District Judge

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